

City Council of the Mayor and Council of New Castle
Public Hearing: Town Hall – 201 Delaware Street – New Castle
Tuesday – March 8, 2011 – 6:30 p.m.

Present:

Council President William Barthel
Councilperson John Cochran
Councilperson John Gaworski
Councilperson Teel Petty

Absent:

Councilperson Ted Megginson

Also present: City Administrator Cathryn Thomas, City Treasurer Janet Carlin, City Planner Marian Hull

Consideration of Ordinance No. 480, amending the City of New Castle Zoning Code: Zoning Amendment Procedure Section 230-61

President Barthel informed there was a public hearing concerning this matter on 9/23/10 and since that time the City has received several suggestions from a citizen on certain items that look to be worthy of change.

City Planner Hull reviewed the suggested changes. The city's current zoning amendment process does not provide much guidance for counsel, applicants, Planning Commission or City Council. More detail on the process for amending the zoning process was provided at the 9/23/10 hearing. The City of Newark's ordinance language was used as a model. Also updated were what types of requests the city can make of applicants (environmental features, traffic reports and such). The city needs to understand the impacts these types of items will have.

A citizen requested some additional changes that were deemed reasonable by the Planning Commission and City Council. One involved expanding the amount of notice provided for zoning amendments for specific properties. It is typical in many zoning ordinances to require in addition to notice of a public hearing in the newspaper if the zoning amendment affects a specific property that that property also be posted. Notices would also need to be mailed to properties within 100 feet of that property.

The second item was a review period. As it exists today the draft includes that the Planning Commission will issue its report to City Council within either 90 days of receipt of the application or 60 days of the receipt of complete zoning support information. The Planning Commission is having problems receiving complete applications on a variety of issues.

The Planning Commission will have at least 60 days to review a complete application. If the applicant needs more days beyond 60 days they can request additional time. If someone submits a complete application the first time through the Planning Commission has 90 days for their review and report to City Council. If it is not a complete application the Planning Commission has however many days it takes to get a complete application together plus 60 days. If the applicant is concerned the Planning Commission does not have enough information to render a decision the applicant can provide more information. City Planner Hull believes this is a comfortable review period and does not believe any undue burden would be placed on the Planning Commission because they will already have knowledge of incomplete applications.

Administrator Thomas recognized Richard Stat as the party who submitted the suggestions and thanked him for his input. This is a good example of the public getting involved with their comments and suggestions to get a good ordinance.

Councilperson Petty made a motion to adjourn the public hearing. Councilperson Gaworski seconded the motion. The motion was passed unanimously.

The meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Debbie Turner

Debbie Turner
Evening Stenographer